

**INCORPORATING LATIN AMERICAN IMMIGRANTS INTO MAINSTREAM  
SOCIETY:  
A STUDY OF OFFICIAL AND INFORMAL POLICIES OF INTEGRATION IN SPAIN  
AND THE UNITED STATES**

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## **ABSTRACT**

### **INCORPORATING LATIN AMERICAN IMMIGRANTS INTO MAINSTREAM SOCIETY: A Study of Official and Informal Policies of Integration in Spain and the United States (Under the direction of John D. Stephens and Ignacio García Borrego)**

This thesis will compare assimilation realities for Latin American immigrants to the United States and to Spain. This will be done through an analysis of standard of living for Latin Americans living in a foreign country (the United States and Spain). It will discuss political, social, and economic assimilation for immigrants and will also focus on how this trend has changed over the years. This thesis will conclude with projections since the Global Financial Crisis.

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## I. INTRODUCTION

The United States has always been known as the *land of opportunity*. And, because of this, immigrants have traditionally selected this country as their premier destination when deciding to relocate. Since the initial colonization period, immigrants have arrived in waves to the U.S. from all parts of the world. However, recently, the most represented immigrant population to the United States is quite possibly represented in the Latin American population.

Although, we must remember that, like in Spain with their Moroccan neighbors, Mexican emigrants are more likely to choose the United States over other possible destinations primarily due to their close proximity. These immigrants to the USA, who are coming to America from Central and South America, face harsh living conditions and economic situations in their mother countries, choose America in an attempt to improve the socio-economic situation for their families.

But, the quality of life has changed. In a land which is committed to the proposition that all men are created equal, those who do not share U.S. citizenship have been placed on the equality backburner. In the new millennium, the U.S. is not the place where foreigners can come and create a new life – at least not the new life they had imagined. Most immigrants come to the United States holding strong to the classic American Dream ideal, only to find that the Dream is unexpectedly turning out different. The majority of immigrants are alienated from mainstream American society. They cannot access public medical benefits; they cannot work in the majority of employment sectors; and they cannot speak with the majority of the American population. What can they do, then?



Immigrants, predominantly from Latin-American countries, have begun to look towards another destination. This country not only shares a common language with the majority of South and Central Americans but also has a Welfare State in which foreigners can participate; meaning that the immigrant population, although a minority, has at least limited access to government provided welfare. This participation includes immigrant contribution to the formation of welfare policy and the opportunity to access medical benefits. Latin-American immigrants now head to Spain.

This essay will begin with an historical background of Latin-American immigrants in the United States – their motivations, the challenges they face when they arrive, and the perceptions that the American citizens have about the Latin-American arrivals. Next, the essay will continue with the Spanish situation; before the 1980s, Spain could more or less be considered a closed state. That is to say, Spain did not have an official closed policy with regards to immigration; rather, that although Spain was open, it was not an attractive immigrant country. But by the end of the past century, Spain went "from being an economic issuer of emigrants to a receptor of immigrants" (González Fuentes, 2006).<sup>1</sup> In this section I will discuss the economic factors and the legacy of *Franquismo*. Finally, I will provide an explanation of the situation of Latin-Americans today in Spain.

The focus of this essay is the evolution of Latin-American immigration to Spain, since the beginning of this century. When I use the term "Latin-American immigration", it is inclusive of immigrants to Spain from all Central and South American countries. While the focus will be on Latin American immigration in general, I need to make clear that an overwhelming majority of those Latin American immigrants to Spain are from Ecuador. The impressive amount of

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<sup>1</sup> My translation: "...de ser una económica emisora de emigrantes a una receptora de inmigrantes ..."

people emigrating from Ecuador, along with contributions from its South and Central American neighbors, makes immigrants from this region of the world the largest source of immigrants to Spain compared with any other region in the world.

To develop this theme more completely, I will focus on the two most important issues in the study of immigration to Spain and the United States (while understanding that immigrants in a new society have to face obstacles to education, access to healthcare, unknown living situations, social security, and other such enterprises) – specifically, on the differences between the social integration of the immigrants and the political integration of these people. When I say social integration, I am referring to how society, at large, traditionally perceives the immigrant population. The majority of U.S. citizens view this ever-growing *Latino* phenomenon with trepidation and sometimes a prejudiced mindset. While Spaniards are certainly not exempt from this, I propose that because of the shared culture, religious traditions and language, social/informal integration policies favor Latin American inclusion into Spanish society.

I will define political integration as the official government policies for social inclusion. One very crucial indicator of this is the organization of the Welfare State – or lack thereof. Historically, social benefits such as health care have been denied to the uninsured, who typically are demographically in the lower socioeconomic levels and also the majority of immigrant populations. The lowest income citizens and legal residents are eligible for Medicaid in the United States. It is the income groups positioned at the next echelon that are not covered by government programs and cannot afford private insurance.

Conversely, the Spanish Welfare State does not exclude the immigrant population and is more available to the majority of the people within the borders of the country. There are two very important distinctions to be aware of with this point, however. The first concerns how the

facts and statistics will change if the determining factor - “immigrants” - is further refined as “legal” and “illegal” immigrants. The second is how these facts and statistics could potentially change in America’s future if the health care reforms of the Obama Administration are successful.

Success in the political integration is related to the economic standing of each country. What amount of national government spending is allocated by each State to their immigrant populations? We have already seen, just in the first months of the Global Financial Crisis, how the traditionally tolerant Spanish atmosphere has been threatened and as a reaction, the integration of Latin Americans and immigrants in general, has been compromised.

## **II. IMMIGRATION TO THE UNITED STATES**

The situation for immigrants to the United States has never, throughout the country's entire history, been a predictable situation. Such variables as time period and actual physical location of where these immigrants wish to settle are all factors that facilitate or impede social and political inclusion of immigrants into American culture. In recent years, however, several social scientists have argued that the situation of immigrants to the United States is rather favorable. Although the numbers may indicate that the "inclusive" element is quite strong for immigrants into mainstream American culture, I would suggest that this research is being interpreted through rose colored glasses; that is to say, that the research cannot account for the intangible variable of actual day-to-day social interaction. On paper, it is easy to say that those individuals who immigrant to the United States legally will naturally be easily incorporated into American society. Unfortunately, this turns out not to be the case.

The current immigrant population comes to a United States with a centuries-old legacy of immigration. First the British and the French came to colonize the New World and the African slaves to work the land. Later came the Irish and the Italians who, although they left their cultural mark on this country, were ardently persecuted against after their arrival. For a short period of time, the United States "welcomed" a large influx of Asian emigrants into the country. Now, the most populous and most recognized demographic for immigrants to the United States are the Latinos.

The Latinos come with the American Dream firmly ingrained in their minds and the belief – however ill conceived – that they will be welcomed by the American citizens

themselves, if they try to assimilate into American culture. But, the truth is that integration is difficult not only for illegal immigrants but *also* for those immigrants who come to America legally! Indeed, questions have been raised as to the speed and degree to which immigrants can become assimilated – or otherwise stated, “the social ‘costs’ of the new immigrants ... before they begin to produce net ‘benefits’ to the new society” (Rumbaut 1997: 928).

The research on this subject emphasizes that cultural differences are acceptable (Coutin, 2003; Marrow, 2005). And throughout its history, the United States has fought for these rights. For how much the United States boasts of its “melting pot” status, change and diversity nearly always meet with resistance by its citizens. The issue facing United States citizens during this era is the question of immigrant inclusion – specifically the massive influx of Latino immigrants. These immigrants come with the intent not to clearly assimilate into US culture, but to maintain their own identity and cultural differences.

There comes a point when the differences can no longer be a part of the multicultural ideals of the United States. In his study, Waldinger proposes that the practice diverges from the theory: “While Americans publicly proclaim their indifference to ascriptive differences among the peoples of the United States, they still organize much of national life around distinctions of precisely this kind” (Waldinger, 2007: 138). Waldinger continues saying that multiculturalism is asymmetrical. Immigrants arrive to this country and must learn to proscribe to the new concept of a “native code” – they will not come with the expectation that United States citizens will learn about a foreign culture. Thus, we have the United States perception of immigration in a nutshell: Immigrants may come, if and only if they integrate themselves within the American framework. Cultural identities are no longer as acceptable as they once were.

Political scientist Helen Marrow (2005), believes that the success of immigration is based on three elements. First, dealing specifically with social integration: We can analyze social integration with data on education. Did the immigrant go to high school? To university or college? Neither? Also, Marrow suggests that immigrants have a better opportunity to integrate themselves if they can participate within society. Specifically, Marrow refers to the capacity of immigrants to learn the language. Although Spanish is rapidly becoming the unofficial secondary language of the United States, it is doing so with a chip on its shoulder. The need to communicate verbally and in written Spanish has become necessary in some regions of the country; however, many Americans do so only under duress.

Secondly, with respect to economic integration, Marrow suggests that the amount of time that immigrants have remained within the country (working or in some other capacity) directly correlates with the level of success that these immigrants will have economically. Does the amount of time that an immigrant has been a resident in this country correlate or show a pattern with the specific type of occupation in which the immigrant is employed? If a person has only been here a short time, will that person automatically be employed in a lower level blue-collar job? As will be discussed in the following sections of this essay, correlations between the amount of time residing in the U.S. and socio-economic 'success' do indeed exist.

Thirdly, Marrow discusses political integration: Although political integration is perhaps the most overlooked form of integration, Marrow suggests that the more immigrants actually participate in the government, the easier it will be for them to integrate into American society (Marrow, 2005). This idea can most easily be seen with Presidential Elections. The Latino population participated to a much larger degree with the 2008 Presidential Elections than with the previous ones. And, although the immigrants might not necessarily be treated as American

citizens in daily life, the fact that they have played such a tremendous role in deciding who the Commander-in-Chief of the United States will be has worked to their advantage (Clinton, Bush and Obama Administrations).

In the following sections there will be a more developed breakdown of the three forms of integration as described by Marrow will be presented.

### **II.1. Social Integration**

It may be argued that the most important aspect of integration into American culture would be that those who immigrate into the country *must* learn the language. Language has always been one of the most defining, if not the most identifying characteristic of a culture. In the United States, language remains one of the most powerful symbols of national unity, and increasingly the symbol of the divide between those who immigrate into the country and those who are “true-blooded Americans;” which is why established Americans not only expect the newcomers to learn English, but want that language to remain dominant (Waldinger, 2007: 141).

When the immigrants arrive in the United States, whether they are legal or illegal, they are treated like foreigners. This type of treatment encourages most immigrants to remain outside of mainstream society – the society of the majority – and create their own distinct culture and identity in a culturally exclusive country. Migrant workers are a very clear example of this phenomenon. They are a part of society – as in the labor of the migrant workers benefits American society – while at the same time they exist as the “Other”. This concept of the “Other” has been repeated over and over again over the course of history and now it is the Latino population, which is considered to be the society within, but not a part of the society, in which they exist.

These migrant workers are typically employed to do work that the majority of people would not wish to do. They will work with unsatisfactory benefits and less rights than national citizens. According to Charles Tilly: “they durably connect a category exterior to the society – foreigner – with a category interior to the society – low-level, low-prestige work” (Tilly in Marrow, 2007: 144). As a result, these stereotypes about immigrants are being constantly reinforced.

## **II.2. Economic Integration**

With this increased difficulty to integrate themselves within the culture of the United States, most immigrants attempt to circumvent the more difficult route of social integration for the seemingly easier path of economic integration. The popular belief that the values of American society are driven by economic power (i.e. Money) is being upheld by the immigrants who believe that with hard work and paychecks, they will be included. According to Marrow, economic integration is “the process by which immigrants accumulate job experience in the U.S. labor market as their tenure in the host country increases” (Marrow, 2005: 782). The success of this economic integration is calculated by the salaries offered and the income of the first and subsequent generations of the immigrant and his family.

Several stereotypes that are most prevalent in American society group the Latinos in much the same way as African American stereotypes label that group. The common belief is that Latinos are less intelligent, they are more likely to utilize Social Services, and they are more disposed to be involved in criminal activities and drug use than Whites and Asians (Golash-Boza, 2006). However, Marrow suggests at the national level that these Latino immigrants *do not* use a disproportionate part of Social Services. Actually, the immigrant population pays significantly more in taxes and fees than in the benefits that they receive (Marrow, 2005). With



these stereotypes, Golash-Boza discusses that although Latin Americans can be integrated within American society, this integration is more in line with a sort of “racialized assimilation” (Golash-Boza, 2006). That is to say, Latin Americans can enter society and exist around but not be included within it – they are still the minority, even if they are considered a minority of United States citizens.

In the United States, there is a small presence of people who support immigrants and immigrant incorporation into American society, they are smaller in number and are less energetic in their support than the American citizens against immigration. One example of this would be Proposition 187 in California, which stated that illegal immigrants cannot receive public Social Services, Medicaid or Medicare, or access to education. Also, the ability to access these public services is only under the caveat that these service providers have to verify the legal status of anyone everybody who wishes to have access to them (Suárez-Orozco, 1996). Two years later, the United States Congress legislated that immigrants who lived in the United States illegally would not have access or would have limited access to these public services.

Also, this legislation attempted to negate automatic citizenship for children born in the United States of foreign parents (Waldinger, 2007). Although this legislation was not passed in Congress, the sentiments behind that legislation cannot be ignored.

### **II.3. Political Integration**

Can immigrants respond to these cases of flagrant discrimination? In all reality, immigrant population actually *participates* in elections and in government. Marrow proposes that political incorporation and participation is calculated on the rate of naturalization, statistics concerning the voter participation of immigrants, their financial contributions, and employment within political parties (Marrow, 2005). With such a large number of Latin American

immigrants living in the United States, this population could have had such a tremendous impact on the structure and organization – maybe even the actual policies – of the American political system. Coutin suggests in her research that due to the massive migration trends corresponding with the globalization process, there will be a marked increase in the focus of transnational policies in both immigrant countries of origin and residence – residence being the United States (Itzigsohn in Coutin, 2003). Naturalization drives can be key to such political reforms, as naturalization confers voting rights to legalized immigrants and can further ethnicity – or nationality-based political campaign platforms.

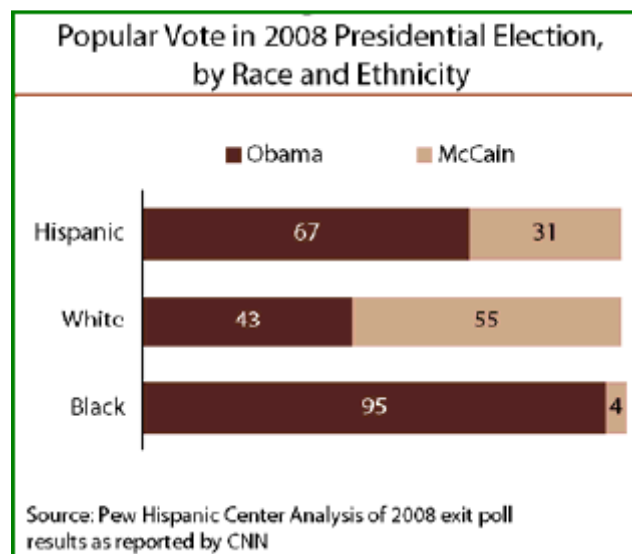
Indeed, in the 2008 Presidential Elections, we can very clearly see the impact that the Latino vote can and did have. Both Obama and McCain focused their campaign on the Hispanic vote on numerous occasions. Indeed, as both candidates fight for Hispanic voters, Obama and McCain took the fight to Washington in an address to the League of United Latin American Citizens. It would be the second of three major Hispanic organizations that the two presidential candidates addressed during the campaign season. In his speech to the crowd, McCain proclaimed, “I and many other colleagues twice attempted to pass comprehensive immigration legislation to fix our broken borders. ... We must prove to [American citizens] that we can and will secure our borders first, while respecting the dignity and rights of citizens and legal residents of the United States” (McCain as quoted in Hornick, et al, 2008). Obama focused more on addressing the people directly and on attempted to provoke an emotional response, “When 12 million people live in hiding in this country and hundreds of thousands of people cross our borders illegally each year; when companies hire undocumented workers instead of legal citizens to avoid paying overtime or to avoid a union; and a nursing mother is torn away from her baby

by an immigration raid, that is a problem that all of us -- black, white and brown -- must solve as one nation," he said (Obama as quoted in Hornick, et al, 2008).

In addition to these endeavors, McCain launched a Spanish-radio campaign advertisement and both candidates continued to address major Hispanic and Latino organizations.

According to an analysis by the Pew Hispanic Center of exit polls from Edison Media Research – as published by CNN – 67% of the Latino vote went with Democrat Barack Obama while only 31% went with the Republican candidate John McCain (López, 2008).

**Figure 1<sup>2</sup>**



According to López's research, nationally *all* demographic subgroups of Latino voters supported the Democratic candidate by staggering margins. 64% of Latino males and 68% of Latina females supported Obama, and Latino youth – corresponding with the national preference for non-Hispanic youth – supported Obama over McCain by an impressive 76%-19% margin

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<sup>2</sup> The analysis in López's report is limited to nine states with sufficiently large Hispanic samples in state exit polls. These states are Arizona, California, Colorado, Florida, Illinois, Nevada, New Jersey, New Mexico and Texas. Voter survey results from the National Exit Poll and State Exit Polls were obtained from CNN's Election 2008 website on Friday, November 7, 2008.

(López, 2008). Obama carried the Latino vote by such sizeable margins in all states with large Latino populations – reclaiming Florida, which had been lost in the 2004 Bush-Kerry presidential election.<sup>3</sup> CNN reporting on the high-population Latino states – Arizona, California, Colorado, Florida, Illinois, Nevada, New Jersey, New Mexico and Texas – suggested that the Hispanic populations impacted the results of the national elections as New Mexico, Colorado and Nevada were all battleground states.

Voter turnout increased nationally in the 2008 presidential elections and this increased support was also seen in Hispanic voter turnout. In a country where “majority” and “minority” populations in becoming more and more difficult to clearly see, catering to specific populations will become a necessity. The new Hispanic “minority”, which is quickly becoming a dominant population in the United States, will continue to be a focus group for candidates in elections at the national, state and local levels.

#### **II.4. Educational Integration**

Although educational integration was not included in Marrow’s concept of integration, it is one of the most important components of integration for immigrants. According to Barnach-Calbó and his studies on education and intercultural society for Latinos in the United States:

... Assimilationism or assimilation implies the progressive loss of a sense of identity for minorities and the acquisition of these same identity indicators in the corresponding receptor, or dominating, society – [in this case, the society of upper class American WASPS – White, Anglo-Saxon protestants] - ... but actual integration recognizes that, contrary to the idea of assimilationism, cultural

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<sup>3</sup> The 2004 election was controversial across the boards. There is continuing uncertainty over whether President Bush received 40% of the Hispanic vote in 2004, as indicated by exit polls in the 50 states and the District of Columbia conducted on Election Day, or 44%, as indicated by the nationwide National Election Pool exit poll. Reasons for the differing estimates are spelled out in “Hispanics and the 2004 Election: Population, Electorate and Voters,” by Roberto Suro, Richard Fry and Jeffrey Passel (2005).

identity for immigrants is typically abandoned for the seemingly more beneficial incorporation into larger society (Barnach-Calbó, 2006: 303).<sup>4</sup>

For Barnach-Calbó, the inclusion, the assimilation, the integration is not a success. The United States tries to destroy what is considered to be the “Other.” He suggests the eventual possibility of a “new cultural synthesis in which the weight and volume of Spanish makes possible a general Spanish-English bilingualism” (Barnach-Calbó, 2006: 309).<sup>5</sup> We can see in the United States an education system in which young Latinos, little by little, will lose their fluency in their first language – Spanish. – and in which Latinos will have to tolerate restrictive state legislations whereby a very powerful majority resistance to Spanish can be seen in the “English Only” school programs prevalent in certain areas of the United States (Barnach-Calbó, 2006: 309).

Like the social, economic and political integration attempts, educational integration has met with limited success, if not outright failure. According to political scientist Samuel Huntington, in the United States there exists a “clash of civilizations”; the Latinos who live in the United States are many, but they maintain a life completely separate from general American society. Unlike earlier immigrant groups to the United States, the Latino population is more resistant to complete integration. The Latino population does not break with their country of origin, and because of this, as a whole, they have not been integrated into any sphere (Huntington in Barnach-Calbó, 2006:310).

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<sup>4</sup> My translation: “*Asimilacionismo, o asimilación implica que la progresiva pérdida del sentido de identidad para las minorías y la adquisición de los mismos indicadores de identidad en el receptor correspondiente, o la sociedad dominante – [en este caso, la sociedad de las personas de la clase privilegiada de los EEUU, blanca, anglosajona y protestante]- ... pero la integración actual reconoce que, al contrario del idea de asimilacionismo, los inmigrantes típicamente abandonaron el idea de integración para la incorporación en la sociedad principal.*”

<sup>5</sup> My translation: “*la nueva síntesis en la que el peso y volumen del español hace posible un español-inglés bilingüismo.*”

### **III. IMMIGRATION TO SPAIN FROM 1960 UNTIL 2000**

Like the United States, which has not always offered a welcoming hand to its immigrant population, Spain and its citizens have not always seen the massive influx of immigrant populations as a welcome addition. This section will begin with a description of the immigrant situation in Spain during the dictatorship of General Francisco Franco. Later, I will discuss how the quick Spanish economic growth (correlating with their incorporation in the European Economic Community (EEC)) and the role of immigrant populations in this growth. Lastly, I will explain the state of immigration to Spain since 2000.

The second section will implement research by Lorenzo Cachón Rodríguez called, “Immigration in Spain: The Challenge to the Construction of a New Society” (2003). The strength and dynamism of the Spanish economy gradually turned Spain from a country of emigrants to a country of immigrants. To record this phenomenon, political scientist Lorenzo Cachón Rodríguez has outlined three stages in Spanish history in which the country became a “país receptor” for people emigrating from third-world nations: before 1985, between 1986 and 1999, and since 1999 until today. In this essay, we will expand on these divisions by adding a fourth stage beginning towards the end of 2008. This stage will focus on how the flow of immigration has and could change as a result of the Global Financial Crisis.

#### **III.1. The Spanish Economy and How It Correlates with Immigration**

The Spanish Economy in the final years of the 1940s began to fluctuate in extreme ups and downs. However, for the majority of the time, the economy of Spain grew considerably in the 1970s until the new millennium.

**Figure 2**



**Evolution of GDP and per capita income in Spain (1970-2001)**

\* The title of this figure is: Evolution of GDP and per capita income in Spain (1970-2001). The left hand column shows *miles de dólares* (millions of dollars) while the right hand column says *dólares* (dollars). *PIB* is Gross Domestic Product while *renta per cápita* is per capita income. [Put this information at the bottom of graph below the title. Then you can delete this and the previous footnote. All of your graphs (figures 2-5) that are in Spanish in the original should follow this format.]

( <http://sauce.pntic.mec.es/jotero/Inmigra/Causas.htm> )

The figure above provides a visual representation of how the Gross Domestic Product (GDP) in Spain has multiplied by sixteen in the last thirty years. Per capita income, likewise, has multiplied by fourteen. In the following sections, I will discuss this growth in the Spanish economy and the cases of recession for this country. This growth is one of the most attractive features and one of the main compelling force for immigrants who think about coming to Spain.

### **III. 1. A. The Influx of Immigrants During *Franquismo***

The migration trend in Spain traditionally runs the same line as the economic situation. In this section, I will show that, in all actuality, Spain converted from a country of emigrants to a country of immigrants. And, this conversion is directly related to the economic growth of Spain. For fear of over excessive over simplification of this process, during the first years of the Franco regimes, the economy was stagnating due to strong economic regulations. Everything began to change in 1959, when the new government passed a legislation known as the *Plan de*

*Estabilización* (Stabilization Plan), which expressed as its major objectives the stabilization of the economy (Requiejo, 1987). In order to do this, the plan had two parts: first, the liberalization of the economy and second, the diminishing in the extent of intervention allowed by the State so that private enterprises could aid in the economic reconstruction.

This Stabilization Plan met with initial success and the government continued to implement this strategy, but with a more specific focus on development. To develop this program, an indispensable resource is the labor force. After years of massive emigration, Spain had to sell itself and develop a way to solicit people to come – and one of the most solicited groups was the Latin American population. And, although it took some time for this program to see significant results, by the 1970s, immigration to Spain began to exceed emigration from Spain. Latinos worked primarily in the economic sectors which were recently developed in Spain, such as construction, tourism and industry (occupations traditionally considered to be low-skilled and where it would not be necessary to utilize higher qualifications).

### **III. 1. B. The Oil Crisis, 1973**

In the 1970s, Spain was an economic failure. Beginning with the international economic crisis, Spaniards also had to worry about a complete political restructuring after the death of its dictator in 1975. Under the new king, Juan Carlos I, and the new Head of Government Adolfo Suárez, the country entered a period of economic stagnation. The economic stagnation can be seen by productivity activity where there was only a growth in GDP of 1.5%, a massive unemployment rate (more than 800,000 unemployed), and a high rate of inflation closing in on 20% (Ocaña, 2005). As a result, the government responded with more controls and a devaluation of the Spanish *peseta*.



During periods of crisis, there were not enough people to cover the massive number of labor which would be required. Unemployment was very high and a lot of people were looking for work, but the desirability – or undesirability – of certain jobs still created a spot for the immigrant populations. Because of this, immigrants would come during extreme recession and depression in almost the same rate as during periods of economic growth. Just like in the early years of the Stabilization Plan, the economy improved. But, this time, this process would include a much more drastic political restructuring. In 1986, Spain joined the European Economic Community (EEC).

### **III. 1. C. Economic Growth as a Facilitator of Immigration to Spain**

As was anticipated, the entrance of Spain into the EEC began an economic impulse, with a more open economy, with an almost exponential increase in the number of foreigners living in Spain, and with the modernization of the Spanish business sector. Once again, Spain needed help. This aid came from foreign workers in the construction sector. Specifically, this immigrant labor force aided in all of the necessary construction for the Olympics in Barcelona and the Universal Exposition or World Fair in Seville (Ocaña, 2005). This economic “boom” is visible in the figures showing GDP growth during this time, a reduction in opinion polls suggesting public doubt in the economy, an inflation rate of less than 3% and from an unemployment rate of more than 20% to less than 15% in a very short time (Ocaña, 2005).

One very important law for immigrants passed by the Spanish government after its assimilation into the EEC was the *Ley Orgánica* (Fundamental Law) 7/1985 about the Basic Rights and Liberties of Foreigners in Spain. This law specifically dealt with paperwork facilitating the ability to work for foreigners.

Under this system, which functioned in conjunction with other regularization programs, foreign residents in Spain who had been legalized had to acquire a contract to be able to work. With this contract, the foreign laborers would be able to apply for work visas or other forms of permission to work. The law outlined six different types of permits:

- A) The individual can work in Spain for no more than nine months;
- B) The individual can work for a maximum amount of time up to one year in duration, but only for one job and only in a specific geographic region;
- C) The individual can work for a maximum amount of time up to five years in whatever occupation but only in a specific geographic region;
- D) The individual can be self-employed and residing in Spain for up to one year but only in one specific geographic region;
- E) The individual can acquire a permit for five years without geographic or occupational limitations;
- F) The individual can acquire a permit exclusively for citizens of the European Community (European Union) who live in their country of origin but work in Spain (Calavita, 1998, 551).

According to Calavita, in the first years of opening of Spain to immigrants, “a privileged status was created for foreigners from Latin America ... who were not required to hold entrance visas and were given preference in obtaining residence and work permits” (Calavita, 1998: 544).

### **III. 1. D. The Spanish Economy from 1986 to 2000 and the Role of Latinos**

The process of incorporation into the EEC, and later into the European Union (EU), was more difficult for Spain than the country had anticipated. Spain had to adopt years of legislation, which was used by all of the member countries. An obvious issue with this process is that there would be legislation that, at times, would help the country, but many times would not. After a rapid growth in the economy at the end of the 1980s, the Spanish economy suddenly entered another recession halfway through 1992. It was not a coincidence that in 1991 Spain passed legislation that immigrants from Peru and from the Dominican Republic had to ascribe to stricter visa requirements. According to Calavita, “despite cultural, religious, and linguistic ties to

Spain, those [immigrants] from Peru and the Dominican Republic have fallen from *preferential* status to now being defined as racially distinct outsiders" (Calavita, 1998: 560).

When there is a demonstrable labour need, the requirement for immigrants are less rigid, while during times when the need does not exist (as in periods of economic recession), Spain is stricter on the conditions for immigration.

The economy recuperated slightly during the mid-1990s and, as could be anticipated, there was also an increase in the number of immigrants who came to Spain. What can be seen from this is that, in the new millennium, the considerable growth and the process for facilitating this growth in the numbers of Latin American immigrants is becoming easier. That is, at least, until the international economic crisis of 2008.

### **III. 2. Spain as a “Receptor Country”**

The need for manual labor in Spain prior to the 1980s did not exist to a significant degree. The Spanish economy had not developed in such a rate where it was necessary for a massive increase in the number of people required to work in that sector. But, under this new government, the country attempted to grow – and this growth required manual laborers.

On top of all of this, the people actually chose Spain as a destination country. The political situations in other countries serve as a catalyst for the mass exodus of people from their country of origin and other countries which offered them security. The immigrants needed Spain just as Spain needed the immigrants.

#### **III. 2. A. The First Stage - Until 1985**

The first stage started in 1980, a time when 65% of immigrants in Spain were from other European countries; Latin Americans represented only 18% and about 10% arrived from Africa and Asia (Cachón, 2003). Yet it was at this time that the Spanish economy, fresh out of

totalitarianism and confident of the benefits of entering the Common Market, experienced its first years of continuous growth. These bright economic prospects convinced many in the third-world to move to Spain. Thus, in the mid-1980s Spain was transformed into a destination for immigrants from outside the EU. This first wave of immigration was largely composed of Moroccans who worked in "specific types of jobs that are considered dishonorable and those which are considered to 'successful'" (Cachón, 2003: 112), or posts undesired by Spaniards themselves.<sup>6</sup> Relegated to this sector, these initial immigrants inspired a legacy of inequality between those who came to work and the *real* Spaniards. Latin American immigration also formed a major part of this first wave of migration to Spain, as many Latin Americans arrived in search of new economic opportunities and sought to leave behind oppressive dictatorial regimes for the young Spanish democracy.

As I stated earlier in this essay, one of the most important factors in the trend of Latin American immigration to Spain was the Spanish economy itself. But they were also motivated by factors from their own countries. During that time, one of the factors determining the course of immigration of non-Europeans was their expulsion from their own country of origin. Although this essay will not include a treatment of the political situation in each Latin American country during those years, the most important aspect of this time period to understand is that these potential immigrants lived under oppressive dictatorial regimes without any other recourse but to leave (as was the case in Argentina, Chile and Uruguay).

In this stage, we can also see how the first *Ley de extranjería* (Immigration Law) elaborated on a new policy for immigrants to Spain. This law, passed as an answer to the eruption in the number of immigrants who arrived to Spain, introduced new policies on

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<sup>6</sup> My translation: "*los puestos de trabajo que se consideran una deshonra y los que se consideran un logro.*"

integration, increasing the rights of immigrants and establishing the first concept of immigrant equality with Spaniards (Cachón, 2003).

### **III. 2. B. The Second Stage - From 1986 to 1999**

During the second stage, the immigrant pool began to widen, drawing from such sources as the countries of Northern Africa like Morocco and even including an increase in the number of Asian immigrants (a similar phenomenon which can be seen in the trend of immigrants to the United States). Spain, while previously being considered a very homogenous country, now is a much more diverse country with new religions and new cultures. During this stage, the majority of immigrants came because of economic motivations rather than political ones. With all of these groups of diverse immigrant populations, the Latin American immigrants seemed to have more in common with the Spanish population than might have been previously perceived. Because of this, at least during the first years of this stage, the Latin American immigrants had slightly preferential treatment.

Before beginning with the following section, I am including a table on the Evolution of Foreign Populations in Spain from 1953 until 2000 to show the tremendous growth in the number of immigrants (González Fuentes, 2006). The figures of this table, however, show the total number of immigrants and not just the figure for Latin American immigrants. It is included to show the dynamic change in the composition of Spanish society. This trend corresponds with the trend of Latin American immigration.

**Table 1**

<b>EVOLUTION OF IMMIGRANT POPULATIONS IN SPAIN (1953 – 2006)</b>	
<b>YEAR</b>	<b>FOREIGN POPULATION</b>
1953 (*)	59.483
1960 (**)	64.660
1970 (**)	148.400
1980 (**)	182.045
1990 (**)	276.796
1991 (**)	360.655
1992 (**)	402.350
1993 (**)	430.422
1994 (**)	461.364
1995 (**)	499.773
1996 (**)	539.984
1997 (**)	609.813
1998 (**)	719.647
1999 (**)	801.332
2000 (**)	895.720
2001 (***)	1.109.060
2002 (***)	1.324.001
2003 (***)	1.647.011
2004 (***)	1.977.291
2005 (***)	2.738.932
2006 (***)	2.904.303
<p>Source: (from González Fuentes)</p> <p>(*) A. Izquierdo in “La inmigración en España, 1980-1990” (Madrid, 1992, Ministerio de Trabajo y Seguridad Social, p. 55)</p> <p>(**) Source: <i>Anuarios estadísticos de extranjería</i> (Yearly Statistics on Immigration Law), Ministerio del Interior</p> <p>(***) Source: (from PECE) Observatorio Permanente de la Inmigración, Secretaria de Estado de Inmigración y Emigración with dates from 31 December in each year, except 2006 (p. 41)</p>	

This growth has tripled in the last sixty years; and this trend is shown by figures from each decade beginning in the 1950s until 1990, when the data was tracked every year until 2005. A projection number was provided for 2006. From a country that previously did not welcome immigrants, Spain has been converted into a country with a significant percentage of immigrants.

#### **IV. LATIN AMERICAN IMMIGRANTS TO SPAIN IN THE NEW MILLENNIUM**

The most recognized motive for immigration is the economic state of the country of origin. The largest majority of immigrants come from developing or underdeveloped countries with the hope of bettering their standard of living. In certain instances, these Latin American immigrants come as refugees or as asylum seekers. But, there has to be a reason why such a huge number of migrants choose Spain even when Latin American countries have their wealthy neighbor to the North. In this section, I will discuss the motivations for Latin Americans and why they have chosen to cross an ocean rather than to seek refuge in the United States.

In spite of all of the ups and downs, Spain has developed incredibly after the death of Franco. There was an improvement in the general Welfare State as well as economic development for Spanish society (as has been stated earlier). The Welfare State includes a guarantee or right to education; a guarantee of access to the National Health System; a guarantee to a minimum pension; and benefits for unemployment, etc. (Cachón, 2003: 115). All of these served as a way to attract immigrant populations. And as such, Spain represented for the immigrants that which the United States had once represented – a country in which one might begin a new life. But this life might represent a new life in which the immigrant would have an easier time at incorporation. The benefits of the Welfare State were available for all while in the United States the welfare system continued to remain closed to outsiders. Access to the Spanish Welfare State at present is provided based on such factors as workers' rights, citizens' rights and low income – dependant on the policy area. According to research conducted by Ana Guillén, a sociologist from the University of Oviedo, "a homogenous and broad package of healthcare

services is common for all Spaniards and legal immigrants, and also for *illegal immigrants* under eighteen (Guillén, 2002: 22).

In a report issued to the Home Office on methods of estimating the size of the illegal alien population, Professor John Salt and his colleagues examined the amnesties which were offered by EU countries over the past twenty years. Belgium and Greece had implemented one amnesty each. France and Portugal had offered two amnesties. Italy had implemented five while Spain had conducted *six* amnesties (Salt, 2009). Granting amnesty definitely did not reduce the number of illegal immigrants. Although initially it reduced the number of *illegal* immigrants – as they had been legalized - it, in fact, provided further incentive for future immigrants to Spain. It served as a strong pull for those seeking a better life to head to countries where legalization practices were regular. Granting amnesty would suggest that those immigrants living illegally would be made legal. In addition, many illegal immigrants came to Spain legally using tourist visas with the purpose of staying. These people, beginning as legal “tourists”, *do* have access to the Welfare State and many of those illegal immigrants, especially *before* August 2000 would have had a greater chance of being naturalized.

In addition, the number of people who have had access to higher education in Spain has changed in recent years. In 1987, 56% of the population had completed primary studies while only 44% had completed secondary school, technical school or higher. But in 2001, the figures have changed. Only 26% of the population has stopped at primary education. A staggering 74% of the population has achieved secondary education or higher - post-secondary, technical or higher education opportunities.

Quite possible the most impressive part of these numbers is that those who have pursued university educations have increased 369% in the fourteen years before 2003 (Cachón, 2003:



115). The effect of this is that there has been a reduction in the number of people disposed to work in jobs such as domestic service, agriculture or construction. Because of this, the immigrants have arrived in droves to fill the now available job slots.

#### **IV. 1. The Composition of Latin American Immigrants**

To best show the trend of Latin American immigrants, included in this essay is Table 2, which shows the composition of immigrants to Spain with a comparison to the different regions of the world in 1998 and, later, in 2006. It shows the percentage of immigrant population in Spain as a part of the entire Spanish population for these two years.

**Table 2**

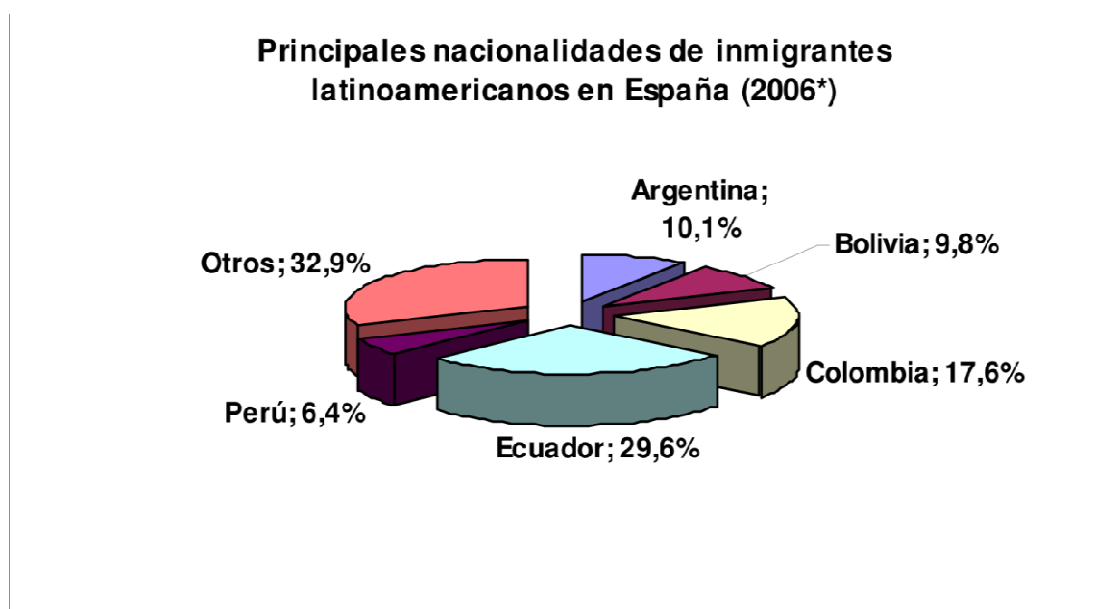
<b>COMPOSITION OF ECONOMIC IMMIGRATION IN SPAIN</b> (% of immigrants in Spain according to region of nationality)		
<b>REGION</b>	<b>1998</b>	<b>2006 (*)</b>
Eastern Europe	8.4%	23.2%
Africa	41.7%	24.8%
Asia	12.2%	6.6%
<b>Central America</b>	<b>9.0%</b>	<b>4.6%</b>
<b>South America</b>	<b>23.0%</b>	<b>40.7%</b>
Others	5.7%	0.1%
<b>TOTAL</b>	<b>100.0%</b>	<b>100.00%</b>
Source: (from González Fuentes and the Instituto Nacional de Estadística (INE))		
(*) The figures for 2006 were projections.		

Table 2 shows us that almost half of all foreign immigrants that emigrate to Spain were Latin Americans (45.3%). In less than a decade, the percentage of Latin Americans has grown 13.3%. In this millennium at the world level, the number of Latin American emigrants is more or less 25 million. These emigrants primarily choose to settle in developed countries (González

Fuentes, 2006).<sup>7</sup> Of this great number, almost 1.5 million – or better to say, 6% - of these emigrants are Latin Americans who choose Spain as their country of destination.

Now, I will focus on the primary countries of origin of the emigrants. According to Figure 2, the majority of Latin American emigrants come from Ecuador.

**Figure 3<sup>8</sup>**



Source: (González Fuentes, 2006)

Principle Nationalities of Latin Americans to Spain in 2006: Argentina (10.1%); Bolivia (9.8%); Colombia (17.6%); Ecuador (29.6%); Peru (6.4%); and Other (32.9%)

(\*) The 2006 figures are projections.

Approximately, one in every three Latin American emigrants to Spain is of Ecuadorian origin. Colombia is the second country of origin with the highest representation of emigrants, followed closely by Argentina and Bolivia. Together, Ecuador and Colombia make up 47.2% of the Latin American immigrant population in total. Although the United States continues to be the primary destination for the Mexican emigrant population, it can be argued that this is out of

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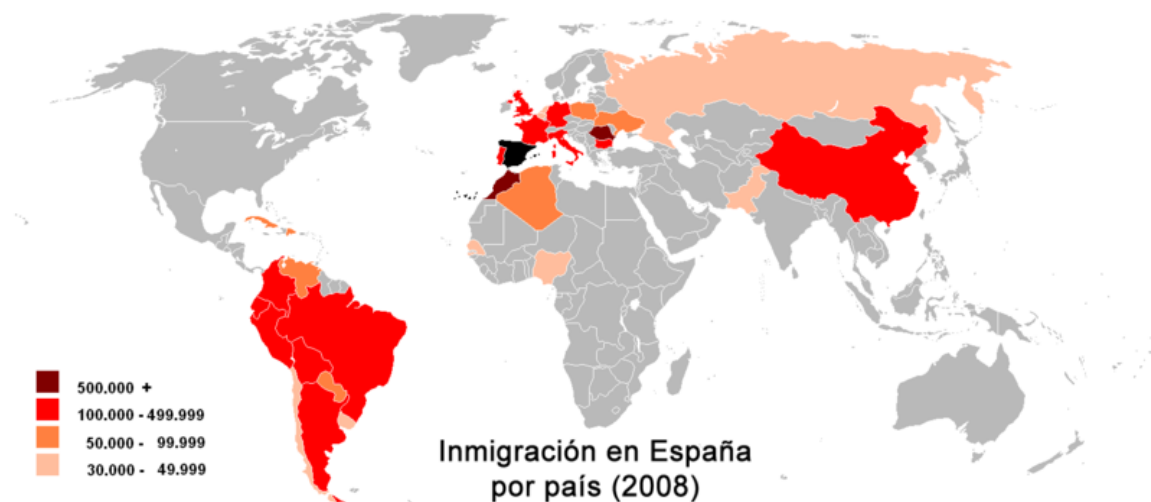
<sup>7</sup> Figures according to the Centro Latinoamericano y Caribeño de Demografía de CEPAL

convenience and necessity rather than of choice. Spain has shown an incredible growth in being the primary destination choice for the majority of Latin American emigrants.

#### IV. 2. The Third Stage – 2000 until present<sup>9</sup>

The new millennium also indicates a new stage in the migratory evolution pattern of Spain. During this stage, we can see an increase and a diversification of immigration in the country.

**Figure 4**



Immigration to Spain by Country (2008)

Source: <http://sauce.pntic.mec.es/jotero/Inmigra/Causas.htm>

In Figure 3, we can see the sources of immigrants to Spain in 2008. But those who decide to come either of necessity or of choice need to find a niche in which they can integrate themselves. Cachón talks about new paths for incorporating the massive arrival of immigrants, not only in the low-skill work sector, but also with new processes for “employment positions for high-skill workers” (Cachón, 2003: 105).<sup>10</sup> Since 31 December 2006, the Residency Permits were given to

<sup>9</sup> I return to the three stages according to Lorenzo Cachón Rodríguez. 1) until 1985, 2) from 1986 to 1999, and 3) from 2000 to the present.

<sup>10</sup> My translation: “...puestos de trabajo de mayor calificación...”

3,012,808 people – Latin Americans representing a little more than one-third of the total foreign population residing in Spain, and they are the most numerous foreign population in ten of the seventeen Autonomous Communities (Aja and Arango, 2007: 28).

According to political scientist Josep Oliver Alonso, the intense entrance of immigrants reflects the combined impact of three elements. I have discussed these elements in greater detail above, however, the following list serves as a clearer demonstration of these elements together:

- A) An enormous increase in employment generated through the Spanish economy;
- B) Spain has begun to notice effects of the demographic transition that began in the final years of the 1970s (note the lowest birth rate in the world; during the Baby Boom, the rate was 2.80 children per woman while a recent figure places the rate at approximately 1.5 children per woman);
- C) The growing difficulties for the Spanish citizens to procure manual labor opportunities because of the massive influx of immigrant populations (Alonso, 2007:46).

Although this may seem to be an element of little importance, the birth rate had the capacity to strongly affect the opportunities of Spain to have economic success during the demographic transition. This transition is marked by a new movement in the construction and advanced technology sectors. If there were not enough people to help in this economic transition process, Spain would not have had such success with regards to its economic growth. Spain is seeing a general shift in the age of its population. Over the last thirty years, there has been almost a complete inversion of the demographic composition of the Spanish population – with the majority of the population aged 65+. To combat this issue, Spain encouraged immigration into the country.

#### **IV.2.A The Effect of Immigrants on Spanish Society**

Before, we could say for the majority, if not all, of the immigrants work in low-skill jobs.

In the beginning of the new millennium, nevertheless, there was a new trend. According to Cachón, “there has been an increase in the different types of jobs which require immigrant labor because of the lack of Spanish workers available for working in these types of jobs ... [and], in certain cases the vacant jobs are (and will be) high-skill jobs” (Cachón, 2003:106).<sup>11</sup> This new trend has had an effect on the re-ethnostratification of immigrants and the type of jobs in which they are employed. On top of all of this, these new opportunities only serve to help in the increase and the diversification of the influx of immigrants.

With this massive growth in immigrants, Spanish society has had to reevaluate its position – whether it would be open or closed to immigrants. From the beginning, in a self-preservation attempt, immigrants began to form ethnic enclaves.

This division only served to facilitate the trend of exclusion on the part of the Spaniards. In response, there have been several groups who have founded a network of institutions who contribute or, at the very least, attempt to contribute to the integration of immigrants, including Latin American immigrants.

Immigrants focus on several problems of incorporation and assimilation such as the challenge of obtaining papers; “having documentation to prove a legal situation, immigrants will have greater chances at reclaiming the rights of citizens” (Cachón, 2003: 107).<sup>12</sup> In the past, undocumented immigration has had an enormous impact on the panorama of foreign population in Spain (Izquierdo, 2003). In addition to the above mentioned problems, the third stage of immigration has had to focus on the reunification of families, enculturation, challenges with the

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<sup>11</sup> My translation: “...han venido a añadirse nuevas ramas/ocupaciones/comarcas que demandan inmigrantes por falta de trabajadores españoles dispuesto para trabajar en ellas... [Y], en algunos casos las ocupaciones vacantes son (y serán) de alta calificación.”

<sup>12</sup> My translation: “...por el reconocimiento de una situación legal que les habilite para reclamar derechos ciudadanos...”

school systems, health systems and housing, challenges of citizenship and multiculturalism and political rights. Quite possibly for the first time, the lives of immigrants from each part of the world will begin to affect Spanish society. The immigrants, who before have come to help with the economy have now begun to grow in population and are attempting to exist as a part of, not merely within, a society that, at least according to the Spanish population, does not have room to include them. The country is already full and immigrants represent a part that can be removed.

In his study, Óscar Jara Albán suggests that Spanish citizenship has an answer for immigrants. This answer includes such possibilities as:

- 1) A major coordinating force between the distinct levels of government in the migration sector;
- 2) *Inclusión del Movimiento Inmigrante* (Immigrant Movement Inclusion) as an interlocutor for the national, local and autonomous level;
- 3) Methods for assuring that immigrants are able to enjoy basic citizen rights, including assistance in administrative procedures relating to the migratory situation;
- 4) Implementation of a the migratory circle depending on the a residence permit or the free entrance and exit of immigrants based on labor contracts;
- 5) Ability of laborers to apply for citizenship;
- 6) Increase in the resources and the increased speed of procedures necessary for rapidly and efficiently securing papers;
- 7) Increase in the resources such as the structural adaptations necessary to secure papers from the Spanish consulate as a foreigner and also increased aid in the reunification of families;
- 8) Political acts to encourage the renting of protected housing for immigrants, offering guarantees to proprietors and launching sensitization campaigns against racism and xenophobia;
- 9) Mantaining the campaigns of information and sensitization concerning the situation of immigrants and their investments to the economy, culture, and the

development of Spain, as an antidote for expressions of xenophobia (Albán, 2007: 64-65).

Spanish citizens realize that immigrants can have a huge effect on their lives. Quite possibly, what makes the Spanish situation different when compared with the situation in the United States is that citizenship in Spain from the beginning began with legislation written with a more inclusive tone. That is to say, from the beginning the legislation was heavily invested in the fight against racism and xenophobia. Although it has not always been a success, the fact that people have been thinking about taking care of immigrants against political divisions is something that can only help the situation of the immigrants. Of course, the organization of the government – whether at the national, regional and local levels – has to incorporate the migratory movement.

For the first time, in the year 2000, immigrants were considered a “social problem” and Spain had not yet decided how it should respond to this problem (Cachón, 2003: 108). Over the course of the past decade, immigration has continued to be considered one of the principal problems that exist in Spain. The question included the principal problems that existed in Spain and the problems that affect its citizens personally. The numbers here represent that which most affects the Spaniards on a personal level, but it is important to realize that immigration is the second most recognized problem that existed in Spain in 2005 and 2006. In 2001 and 2004, immigration occupied the ninth position; in 2002 the eighth; in 2003 the seventh and in 2005 the sixth. The 2006 barometer indicated that immigration was the fifth most important issue in Spain. Other areas of concern for Spaniards included economic character, unemployment, housing and citizen insecurity (Plan Estratégico de Ciudadanía e Integración PECCI, 2007: 95). The course of action chosen by the Spanish citizens was to address the situation in public debates and with the creation of forums for immigrants at different levels of the administration.

The government decided in one of these debates that the criteria for permitting a person

who is not from Spain originally to live in Spain included labor qualifications that are required by Spain at that time, a satisfactory level of education, the ability to speak *castellano* or other official languages and if they have family who live or work in Spain (PECI, 2007: 97).

Also, Spaniards support recognizing the political rights of immigrants. According to figures from PECI, “78% believe that immigrants should have the right to become Spanish citizens; 61% should be allowed to vote in municipal elections, including the general elections (53%)” (PECI, 2007: 98).<sup>13</sup>

In spite of all of this, Spaniards have begun to develop plans for the incorporation and integration for immigrants. These administrations focus on different ways for integrating the immigrants. As a result, the two *Leyes Orgánicas* (Organic Laws) of 2000 and the *Plan Estratégico de Ciudadanía e Integración* 2007-2010 were passed.

#### **IV.3. Introduction of the *Leyes Orgánicas* 4/2000 and 8/2000**

The Organic Law 4/2000 from 11 January is about rights and liberties for the foreigners in Spain and their social integration. In an exposition of their objectives, the law emphasizes:

- A) The regulation of immigration based on the fact that Spain has been converted from a country of emigrants to a prime destination of immigrants and also as stopping point for other groups of immigrants going in transit to other states.
- B) This normative forms part of a global approach and a coordinated effort in the treatment of immigrants in Spain (Ley Orgánica 8/2000: 11).

This legislation has gone farther than any previous one in Spain as a coordinated effort to include immigrants.

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<sup>13</sup> My translation: “...el 78% creen que los inmigrantes deberían tener derecho a obtener con el tiempo la nacionalidad española; el 61% que deberían poder votar en las elecciones municipales (61%), incluso en las generales (53%)...”



#### **IV.3.A. The Introductory Chapter of the *Ley Orgánica* 8/2000**

Chapter I is about the basic rights and liberties of legal foreigners. Some include the right to documentation (see Appendix); the right of free movement; the participation in the public sphere; the right of reunion (i.e. reunification of families); the right of association; to education; to work; the right to strike; Health Care assistance; help with housing; Social Security and other social services, and the inclusion of immigrants in the same forms of taxing as Spanish citizens (Ley Orgánica 8/2000: 23-28).

Chapter II focuses more on the reunification of families. That is to say, if an individual comes to Spain, that individual's family members can follow and settle in Spain as well. Chapter III talks about the legal guarantees such as rights to judicial proceedings; immigrant recourse against administrative acts; and free legal assistance (Ley Orgánica 8/2000: 31-32). Quite possibly one of the most important chapters for immigrants is Chapter IV concerning ways to deal with discrimination. In this chapter, there is a table on different policies against discrimination; the acts that constitute discrimination; and resources for immigrants who are victims of discrimination (Ley Orgánica 8/2000: 32-34).

#### **IV.3.B. Legal Framework for the Immigrant Situation**

The regimes discussed in this thesis are centered on residency and long and or short term stays. However, residency can be defined in different ways: temporary, permanent, that of students, that of stateless persons, that of undocumented persons or refugees, and that of minors (Ley Orgánica 8/2000: 35-42). In order to work, immigrants must understand and adapt to Chapter III of Title I that says that foreigners "older than [sixteen], in order to participate in any lucrative, industrial or professional activity, must demonstrate the prior corresponding

authorization in order to work"(Ley Orgánica 8/2000: 43).<sup>14</sup> They are also authorized to work as free-lance or self-employed although they have to prove that they have met all prerequisites. Also, there are certain requirements for those working for an employer and the contingency of foreign workers: "The Government could approve a annual contingency of foreign workers taking into account the national employment situation so that only those who do not live or reside in Spain have access" (Ley Orgánica 8/2000: 44).<sup>15</sup> In order to determine the number of immigrants permitted by the Government to come to Spain and work, the Government must keep in mind the proposals of the autonomous communities, the unions and the most represented businesses.

To this point, the majority of the information is only relevant for the immigrants who come with their papers or visas or legally in some other way. If they do not have papers, there are other resources. The Documentation for International Amnesty of 2001 had 350,158 applications; "67% of the applicants were successful in obtaining a valid, one-year temporary residency... Ecuadorian, Colombian, Moroccan and Romanian immigrants were those who primary beneficiaries."<sup>16</sup> (Izquierdo, 2003: 151). But, Spain has a very developed policy for those who live in the country without papers. One example of a minor infraction would be if someone is discovered to be working in Spain "without having applied for authorization to work for

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<sup>14</sup> My translation: "*Mayores de [dieciséis] años para ejercer cualquier actividad lucrativa, laboral o profesional, precisarán de la correspondiente autorización administrativa previa para trabajar.*"

<sup>15</sup> My translation: "*El Gobierno podrá aprobar un contingente anual de trabajadores extranjeros teniendo en cuenta la situación nacional de empleo al que sólo tendrán acceso aquellos que no se hallen o residen en España.*"

<sup>16</sup> My translation: "*El 67% de los solicitantes consiguió legalizar su situación obteniendo una residencia temporal válida durante un año... Los inmigrantes ecuatorianos, colombianos, marroquíes, y rumanos fueron los principales beneficiarios.*"

themselves, when they are relying on temporary residency”<sup>17</sup>; an example of a serious infraction would be if someone is discovered to be in a Spanish territory “for not having obtained an extension on their stay, lacking residency or having the aforementioned residency expired for more than three months”<sup>18</sup>; and an example of a very serious infraction would be if “[someone induces, provokes, aids or facilitates] with the intention to profit from, individually or as a part of an organization, the clandestine immigration of persons in transit or in a Spanish territory” (*Ley Orgánica 8/2000: 52-54*).<sup>19</sup>

#### **IV. 4. The Strategic Plan for Citizenship and Integration 2007-2010**

Immigration continues to be a political concern, even today. The new answer is found in the Strategic Plan for Citizenship and Integration (PECI) that has been put into effect from 2007 until 2010.

In 2007 the European Age of Equal Opportunity for All was declared by the Spanish government and focused on the 4 Rs: Rights, Representation, Recognition and Respect (Cachón, 2007: 253). And Spain, for its part, promoted its own PECI legislation that, according to Cachón, it is an “expansive process of consultations with immigration, union and employer organizations, and local, regional, national and some expert administrations”<sup>20</sup> with:

- 1) The conception of integration as a bidirectional process, of mutual adaptation;
- 2) The conviction that the responsibility of the process of integration and the

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<sup>17</sup> My translation: “*sin haber solicitado autorización administrativa para trabajar en cuenta propia, cuando se cuente con autorización de residencia temporal...*”

<sup>18</sup> My translation: “*por no haber obtenido la prórroga de estancia, carecer de autorización de residencia o tener caducada más de tres meses la mencionada autorización...*”

<sup>19</sup> My translation: “*[induce, promueve, favorece, o facilita] con ánimo de lucro, individualmente o formando parte de una organización, la inmigración clandestina de personas en tránsito o con destino al territorio español o su permanencia en el mismo...*”

<sup>20</sup> My translation: “*amplio proceso de consultas con organizaciones de inmigración, sindicatos y patronales, administraciones locales, regionales, nacionales y algunos expertos...*”

management of it should be shared by the distinct administrations, the social activists, including the immigrant population and society as a whole;

- 3) The conception of the Plan as a sign of cooperation, able to energize policy, bring together initiatives and provide coherence as much to the conduct of the public sector as to the civil society;
- 4) The necessity to adopt an integral or global focus, as much with respect to immigration policy as to the integration of the immigrant population;
- 5) The idea that the integration policy addresses citizenship as a whole, and that the public action should be oriented in promoting and guaranteeing the general access of the immigrant population to both public and private services;
- 6) The transversal incorporation of the relative questions of integration of the immigrant population in all relevant public policy (Cachón, 2007:253 and PEGI, 2007:31).

These 369 pages developed the opportunities and also the challenges of the transition of a previously emmigratory country to one of immigration. Directly stated, the agreement says that “without legality, integration is not possibly and it is necessary to have certain resources in order to promote integration by using a bidirectional process that focuses on social cohesion” (PECI, 2007: 7). Under the advice of the European Commission, PEGI will have to take a holistic approach to integration policy, keeping in mind “not only economic and social aspects or integration, but also problems related to cultural and religious diversity, citizenship, participation and political rights” (COM 2003 in PEGI, 2007: 29).

#### **IV.5. The Spanish Job Market and Latin American Immigrants**

The past several years have seen a rapid increase in the number of Latin American immigrants into the Spanish job market. Spain has changed from a relatively homogenous society into that with a diverse population. Statistics from the Ministry of Employment and Social Affairs in 2006 suggests that Latin Americans make up about 38% of the foreign working population (González Fuentes, 2006).<sup>21</sup> Like we anticipated, the majority of the occupations of Latin American immigrants are comprised of those not high-skilled jobs, although that does not necessarily suggest that the level corresponds with the educational level of the workers, which is only slightly lower than that of Spanish citizens, according to a study by González Fuentes.

Interestingly enough, in the segments of the population with a low education level and between the ages of 20 and 40 is where there exists the highest level of competency in the Spanish job market amongst Spanish citizens and foreigners (Herrarte, Medina and Vicéns, 2005). This could create a tense situation between the two groups. Still, immigration in Spain continues to be necessary and social pressure and racial and xenophobic sentiments threaten the integration process of immigrants.

In 1999, 76% of the 199,753 foreign workers with permission to work in Spain were employed in five principal sectors: domestic service (26%), agriculture (21%), the hotel industry (12%), construction (9%) and trade (7%) (Cachón, 2003: 119). This concentration in five main areas – corresponds with the fact that immigrants concentrate in particular regions and certain types of jobs.

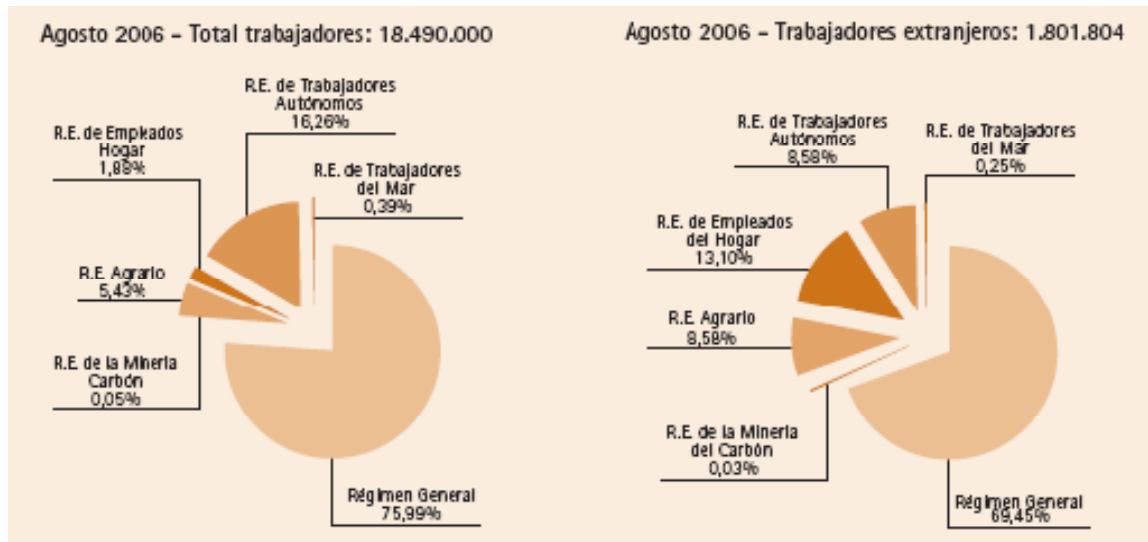
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<sup>21</sup> Facts from the *Anuario de Estadísticas Laborales y Asuntos Sociales 2005*. Ministro de Trabajo y Asuntos Sociales.

**Figure 5**

**Affiliates of Social Security by Regimes (2006)**

The first pie chart is showing the composition by labor sector for total workers for August 2006 (18,490,000): Self-employed (16.20%); Off-shore workers (0.39%); General working population (75.99%); Mining (0.05%); Agriculture (5.43%); Domestic services (1.99%) as compared with the composition by labor sector for total foreign workers in Spain for August 2006 (1,801,804): Self-employed (9.58%); Off-shore workers (0.25%); General working population (69.45%); Mining (0.03%); Agriculture (9.58%); and Domestic services (13.10%).



Source: Ministerio de Trabajo y Asuntos Sociales (PECI, 2007: 74).

Graph 4 shows the composition of workers in each regime affiliated with Social Security in 2006. The graph has figures for the total number of workers and foreign workers. As we have supposed and have seen above, foreign workers are employed to work in homes and in the agricultural regime, however they are less likely to be self-employed or work in mines.

This does not indicate that foreign workers are less qualified, but possibly that they have less access to these types of jobs.

## **V. CONCLUSION**

People who have to leave their countries or are motivated by other reasons should not have to deal with a nightmare when they arrive. Although the United States is considered a welcoming country, in recent years it has become more and more closed. Immigrants to this country are confronted with a number of obstacles including, but not limited to the language, access to public health care, limited job opportunities, racism, xenophobia and other forms of discrimination.

As an answer to these problems, a significant portion of Latin American immigrants have decided to choose a new option. Although they are not neighbors, Spain and Latin American countries share a language, a religion, and to a certain extent, a culture. Beginning in the 80s, Latin Americans have entered Spain, initially slowly, but more and more recently exponentially quicker.

One factor of this, on top of the shared characteristics is the economic cycle of Spain and its growth in various stages. Another, and possibly a more influential, factor is the Spanish mentality at the entrance of immigrants. As I have stated above, it is due to the motivation of the Spanish citizens that the Organic Laws of 2000 and the Strategic Plan of Citizenship and Integration of 2007-2010 were created.

As in all immigration situations, there always exists the idea of the “other” and the wish to exclude those who come from other countries. But, in Spain, this policy of exclusion has not taken root. They can use the components of the State of Spanish wellbeing, and little by little, they are entering other sectors of the job market.

The immigration situation of Latin Americans has seemed good in 2009. Above there is a map of the world that shows the demographic distribution of immigrations in Spain by country in 2008. A significant percentage of immigrants are from Latin America, the Caribbean and South America, including those who have immigrated to Spain in the second to last wave.

The migratory tendency of Latin Americans has been dynamic up until now. Especially with the worldwide economic crisis of 2009, it will be interesting to continue flow of Latin Americans in the next year.

Like we have seen in the past, will there be a reaction against the immigrants? And, considering this study, will the reaction be against Latin American immigrants in particular?

Although Spanish citizens have been open, and, in truth, impressive with respect to their ability to inspire new legislation for the incorporation of immigrants, with the worldwide economic crisis, will the growing percentage of unemployment and other negative economic effects contribute to a draining of resources and opportunity in this country?

This system worked effectively until the Global Financial Crisis of 2008. With the advent of this crisis, however, the situation has completely changed. A housing bubble has led to the collapse of the construction sector, a big employer of immigrant workers, as well as to the intoxication of the mortgage loan market, putting many indebted homeowners out of a house and dashing hopes of homeownership for others. As a result, unemployment levels in Spain have skyrocketed and are pushing 20 percent, and this has resulted in a reverse migration of immigrants to mother countries. Facilitating this push, the Spanish government has offered legal immigrants from South America their unemployment payment in one lump sum under the condition that they agree to leave Spain and not return for a period of three years. In a country where immigrant employment levels has been among the highest in the EU and had exceeded the



rate among Spanish nationals, this development is truly extraordinary (UPL 2009: 70). Thus, this fourth phase of migration has reversed the trend of the last two and a half decades; instead of immigration into Spain, we are starting to see emigration of previous immigrants.

The fourth stage of migration has affected national politics. Indeed, immigration policy has also become a top priority with voters. After six legalization laws since 1985, excessive immigration has reappeared as an election issue for the first time in 2008. Given Spain's new tradition of inclusion, a real debate on the future of immigration and the economy is taking place. Jesús Caldera, former labor minister and organizer of the legalization processes, said, "If you practice exclusion, you risk the future of your country. You risk terrorism, violence" (De Parle, 2008). But as the Spanish economy begins to buckle under the pressures of the Global Financial Crisis, the immigrants are becoming the scapegoats of Spanish voters obsessed with increasing unemployment. Spaniards fear the negative effects that immigrants will have on the economy in the years to come. In the meantime, immigrants are suffering disproportionately from the economy slowdown, with nearly 40% of the recent spike in unemployment originating among the foreign immigrants.

Will the Global Financial Crisis undermine Spain's policy of inclusion? There are already signs that it is. For example, thanks to a November 2008 law, a legal immigrant can cash out with a one-time payment of 60 percent of his total unemployment benefits if he agrees to return home. As previously mentioned, immigrants that receive these payments under the "Voluntary Return Law" must give up their work permits and promise not to return to Spain for at least three years. With predictions stating that Spain's economy will continue to slump through 2010, such an offer will be quite attractive to some immigrants, especially to those who were already planning to return to their home country. Yet for most immigrants, the price of

leaving is too high. Most of them have mortgages to pay and children born and raised in Spain. Indeed, the Spanish government only expects 10,000 immigrants per year to take advantage of the law, with an estimated 700,000 unemployed immigrant workers choosing to remain behind (Peregrín, 2009). For these immigrants, the only hope is a rebounding of the economy in the country they now call home.

We can hope, for the sake of the immigrants at least, that Latin Americans will not have to look for yet another destination.

## APPENDIX

### **Ley Orgánica 8/2000, Capítulo I, Artículo 4. Derecho a la documentación.**

1. Los extranjeros que se encuentren en territorio español tienen el derecho y la obligación de conservar la documentación que acredite su identidad, expedida por las autoridades competentes del país de origen o de procedencia, así como la que acredite su situación en España.
2. Todos los extranjeros a los que se haya expedido un visado o una autorización para permanecer en España por un período superior a seis meses, obtendrán la tarjeta de identidad de extranjero, que deberán solicitar personalmente en el plazo de un mes desde su entrada en España o desde que se conceda la autorización respectivamente (Redactado conforme a la Ley Orgánica 14/2003).
3. No podrán ser privados de su documentación, salvo en los supuestos y con los requisitos previstos en esa Ley Orgánica y en la Orgánica 1/1992, de 21 de febrero, sobre Protección de la Seguridad Ciudadana.

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